

## **REMARKS**

Claims 1 through 10 continue to be in the case. Claim 1, 2, 3, and 6 are being amended.

New claims 11 through 16 are being submitted.

The language of new claim 11 is based on claim 1, wherein the catches 14 and 17 are non-relocatable (fixed) relative to one another with respect to the "*shift direction*" of locking elements 25.

Claim 12 is based on the language of claim 1.

Claims 13 and 14 are based on Fig. 2.

Claims 15 and 16 are based on the specification , page 10, lines 1 to 3 and on Fig. 2.

The Office Action refers to the Specification.

The abstract of the disclosure is objected to because in line 7, "to" should be --two--. Correction is required. See MPEP § 608.01(b).

A corrected ABSTRACT OF THE DISCLOSURE is accompanying the present Amendment.

The disclosure stands objected to because of the following informalities: in the first paragraph on page 6, this sentence is confusing and

seems to have grammatical errors: "There results further from the arrangement of the two radial catches in the plane that there exist no further force transfer planes, which would shorten the effective length of the stabilizer parts."

Applicants are amending the specification to clarify the language.

On page 7, line 3 recites a "subdivided stabilizer 3", and in line 9, a "straight continuous stabilizer 3" is mentioned, while the list of reference characters on page 15 simply lists 3 as a stabilizer. Is the stabilizer "subdivided" and/or "straight and continuous?"

It is proposed to replace the reference numeral "3" of the straight continuous stabilizer on page 7, line 9 with the reference numeral --30--.

On line 2 of page 14, "free" should be --freely--.

Appropriate correction is required.

Applicants thank the Examiner for the suggested corrections and submit corresponding changes with this amendment.

#### Claim Objections

Claim I objected to because of the following informalities: in line 1, "to" should be --two--, and "part" should be --parts--. In line 2, "an" should be

inserted between "to" and "axle". In line 12, "a" should be inserted between "to" and "limited". Appropriate correction is required.

The present amendment furnishes corrections to the objections.

The Office Action refers to Claim Rejections - 35 USC § 112

Claims 1 - 10 stand rejected under 35 U. S. C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the wheel suspension" in line 3, "the vehicle body" in line 4, "The locked end position" in line 4 on page 20, and "the released end position" in line 5 on page 20. There is insufficient antecedent basis for these limitations in the claim.

Claim 1 also uses the terms "on the one hand" and "on the other hand" in lines 1, 3, 7 and 8. This language is unclear and confusing.

Claim 3 recites the limitation "the side contact faces" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the axial force component" in line 2, "the force" in line 3, and "the floor side" in line 4. There is insufficient antecedent basis for these limitations in the claim.

Claims 1, 3 and are being amended to obviate the rejections.

The Office Action refers to Claim Rejections - 35 USC § 102.

Claim I stands rejected under 35 U.S.C. 102(b) as being anticipated by Sheppard et al. (US 4,206,935). Sheppard discloses two stabilizer parts (see 32 in Fig. 5) aligned parallel to an axle (10 in Fig. 5) with one end connected to the wheel (see 15 in Fig. 5) and the other end connected to the vehicle body (see 34 in Fig. 5). The stabilizer parts are connected to each other through a shaped matching coupling furnished with two catches that form at least two changeable intermediate spaces in a circumferential direction (see attachment), where the intermediate spaces are filled with locking elements (see attachment) and the catches and locking elements are geared to each other without play in the locked end position (see Fig. 7).

Applicants respectfully traverse. While the Office Action refers to some features of claim 1 of the present application, there are also additional features recited in claim 1, which are not part of the Sheppard reference.

The last paragraph of claim 1 as amended of the present application reads as follows:

“- the locking elements (25) and the catches (14, 17) are standing in continuous positive covering in circumferential direction and are tuned such

to each other that the locking elements (25) and the catches (14, 17) are geared to each other without play in a locked end position and are standing in positive covering relative to each other in a released end position and are rotatable relative to each other over a limited angle region in the released end position.”

The first clause of this paragraph “- the locking elements (25) and the catches (14, 17) are standing in continuous positive covering in circumferential direction” means that “- the locking elements (25) and the catches (14, 17) continuously positive covering each other and overlapping in circumferential direction.

In clear contrast, the reference Sheppard et al. states in column 3 line 64 through column 4, line 1:

“In this third embodiment of the invention, it is not possible to have any degree of variation of the action of the anti-roll bar 12, since the mechanical linkage used is either fully engaged or fully disengaged, that is the anti-roll bar 12 is either functioning or is substantially eliminated.”

This clearly expresses that according to the Sheppard et al. reference, - the locking elements (25) and the catches (14, 17) are not standing in continuous positive covering in circumferential direction, but also assume a fully

disengaged position in clear contradiction to the language of claim 1 of the present application.

The language of the last paragraph of claim 1 of the present application furnishes “the locking elements (25) and the catches (14, 17) are geared to each other without play in a locked end position” and that there is a locked end position.

The following language of the last paragraph of claim 1 of the present application furnishes “(the locking elements (25) and the catches (14, 17) are) standing in positive covering relative to each other in a released end position and are rotatable relative to each other over a limited angle region in the released end position.”

This clause of the last paragraph of claim 1 requires that the locking elements (25) and the catches (14, 17) are standing in positive covering relative to each other and are overlapping each other in a released end position. This requirement of positive covering the locking elements (25) and the catches (14, 17) of claim 1 of the present application is in clear contrast to the teaching of full disengagement in the Sheppard et al. reference, column 3, line 67.

The last clause of the last paragraph of claim 1 requires that “(the locking elements (25) and the catches (14, 17) are) rotatable relative to each other over a limited angle region in the released end position.”.

In contrast, there is no limited angle in the reference Sheppard et al. and the reference Sheppard et al. specifies in column 3, line 67 to column 4, line 1 that “the mechanical linkage used is either fully engaged or fully disengaged, that is the anti-roll bar 12 is either functioning or is substantially eliminated.”. Thus there is nothing taught in the reference Sheppard et al. relating to that “the locking elements (25) and the catches (14, 17) are rotatable relative to each other over a limited angle region in the released end position.”., which is expressly required according to claim 1 of the present application.

Wherefore, applicants respectfully disagree with the opinion of the Office Action that the subject matter according to claim 1 does not patentably distinguish over the reference US Patent 4,200.4135 (Sheppard et al.).

The following is a relevant Summary of the teaching of the reference Sheppard et al.

The reference Sheppard et al. discloses a suspension system for the rear axle 70 of a motor vehicle, the suspension system comprising an anti-roll

bar 12 which can be mechanically engaged or disengaged when necessary. *This* anti-roll bar is made up of two separate L-shaped torsion bars 32, each one of which is pivotally connected at one end to the axle 10 of the vehicle and is pivotally connected to the body of the vehicle by a rigid link 34. The other ends 38, 40 of these. torsion bars 32 are connected together by means of the splined coupling device 36. Said other ends of the torsion bars are slidably socketed one within the other, and one 38 of said other ends of the torsion bars 32 has secured thereto a contoured sleeve portion 42. The *other one* 40 of said other ends of the torsion bars 32 is provided with a splined periphery 44 upon which is slidably mounted a splined contoured sleeve portion 46 engageable with the contours of the fixed sleeve portion 42 on the other torsion bar 32. Thus slidable sleeve portion 46 can be moved backwards and forwards on the splined periphery 44 in order to engage or disengage torsion bars 32 with one another.

However as explained already above, the reference Sheppard et al. fails to teach that the locking elements and the catches are standing in continuous positive covering in a circumferential direction and are turned such to each other that the locking elements and the catches ... are standing in positive covering relative to each other in the released end position.



Therefore, the subject matter according to claim 1 under consideration is clearly not anticipated by Sheppard et al.

Further, according to the reference Sheppard et al., the mechanical linkage is either fully engaged or fully disengaged (see column 3, lines 64-67 of Sheppard et al.). Thus, Sheppard et al. does not teach or suggest that the locking elements and the catches are standing in positive covering or overlapping relative to each other in the released end position.

Therefore, the subject matter according to claim1 is not obvious over the reference Sheppard et al.

According Sheppard et al. such *projections on* sleeve portion 42, wherein the projections are *facing* slidable sleeve portion 46, have to be arranged on one and the same contoured sleeve portion (see Fig. , '5-7 of Sheppard et al.). Thus, it is not possible to change the intermediate space in a circumferential direction between these. projections of the reference Sheppard et al..

The Office Action refers to Allowable Subject Matter.

None of the prior art of record appears to read on Claims 2 - 10 as understood by the examiner, and the subject matter of the claims appears to be allowable if the rejections under 35 USC 112 can be overcome. However, upon applicant's amendment to overcome the rejections and objections raised by the examiner and upon the examiner's better understanding of the invention, a comparison of the prior art to the claims will again be made.

Applicants very much appreciate the finding of allowable subject matter in claims 2 to 10. Claim 2 is now presented in independent form to bring these claims into fully allowable form.

The Office Action concludes:

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Markowetz (US 6,439,583) discloses an actuator. Kuwayama et al. (US 4,973,077) discloses a stabilizer device for motor vehicles. Leiber et al. (US 4,919,444) discloses a stabilizer for vehicles. Struss et al. (US 6,149,166) discloses an apparatus for use in a vehicle suspension. Fehring (US 6,022,030) discloses a roll stabilizer for a motor vehicle. Cubalchini (US 5,549,328) discloses a roll control system. Krawczyk

et al. (US 5,529,324) discloses a system and method for vehicle roll control. Pascarella (US 5,505,480) discloses a controlled stabilizer bar attachment apparatus for improved suspension articulation. Smith (US 5,480,186) discloses a dynamic roll control system for a motor vehicle. Smith (US 5,437,354) discloses a tilt control apparatus for vehicles. Aulerich et al. (US 5,251,926) discloses a ratchet assembly for an adjustable stabilizer bar. Kurihara et al. (US 5,141,088) discloses a hub clutch device. Umeda (US 5,076,605) discloses a stabilizer and method of controlling stabilizer. Kincad et al. (US 6,428,019) discloses a semi-active anti-roll system. Jones et al. (US 6,361,033) discloses a roll control actuator. Elser (US 6,328,323) discloses an actuator.

Reconsideration of all outstanding rejections is respectfully requested.

All claims as presently submitted are deemed to be in form for allowance and an early notice of allowance is earnestly solicited.

Respectfully submitted,

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